

CITY COUNCIL AGENDA
REGULAR MEETING
WEDNESDAY MARCH 19, 1997

Morgan Hill Civic Center	Interim Mayor	Dennis Kennedy
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Council Chambers 17555 Peak Avenue Morgan Hill, California 95037	Interim Mayor Pro Tempore Councilmember Councilmember	Bev E. Freeman Hedy L. Chang Cynthia J. Cook
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5:00 P.M.

CALL TO ORDER
(Interim Mayor Kennedy)

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Title of Employee:	City Manager
Legal Authority:	Government Code Section 54957

7:00 P.M.

ROLL CALL ATTENDANCE
(Deputy City Clerk Price)

DECLARATION OF POSTING OF AGENDA
Per Government Code 54954.2
(Deputy City Clerk Price)

OTHER BUSINESS:

1. **MARCH 4, 1997 SPECIAL MUNICIPAL ELECTION - CERTIFIED STATEMENT OF ELECTION RESULTS**

Recommended Action: **Adopt** a Resolution of the City Council of the City of Morgan Hill Reciting the Facts of the Special Municipal Election of March 4, 1997.

OATH OF OFFICE: MAYOR-ELECT
(Deputy City Clerk Price)

7:15 P.M. - 7:45 P.M.

RECEPTION FOR INCOMING MAYOR

SILENT INVOCATION

PUBLIC SERVICE ANNOUNCEMENT

Eric Hilding

PLEDGE OF ALLEGIANCE

PRESENTATIONS

Karen Lengsfeld

Employee Suggestion Committee Award

Julie Behzad

Professional Engineer (PE) License

Simon Sue

Professional Engineer (PE) License

CITY COUNCIL REPORT

SCRWA

Councilmember Cook

CITY MANAGER'S REPORT

CLOSED SESSION ANNOUNCEMENTS/CITY ATTORNEY'S REPORT

PUBLIC COMMENTS

Mayor Kennedy

The Morgan Hill City Council welcomes comments from all individuals on any agenda item being considered by the City Council. Please complete a Speaker Card and present it to the Deputy City Clerk. This will assist the Council Members in hearing your comments at the appropriate time. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council are limited to Three (3) Minutes. We appreciate your cooperation.

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS EVENINGS AGENDA.

CONSENT CALENDAR:

The Consent Calendar, Agenda Items #2 through #9 may be acted upon with one motion, a second and the vote.

2. FEBRUARY CITY TREASURER'S REPORT

Recommended Action: Accept and File Report.

3. WORKSHOP AND DISCUSSION AND ACTION ON ADOPTION OF COUNCIL POLICIES AND PROCEDURES

Recommended Action: Take No Action and Continue Matter to March 26, 1997.

4. RESOLUTION CONTINUING LOCAL EMERGENCY

Recommended Action: Adopt Resolution Continuing the Proclamation of the Existence of a Local Emergency.

5. **VACATION OF A PORTION OF EAST EDMUNDSON ROAD**
Recommended Action: 1) **Adopt** Attached Resolution thereby Vacating a Portion of Public Road Right-of-way Adjacent to APN 817-05-018, East Edmundson Road; 2) **Authorize** the City Manager to File Quit Claim Deeds Releasing the City's Interest in the Portion of East Edmundson Road Right-of-way; and 3) **Direct** the City Clerk to File a Certified Copy of the Resolution in the Office of the Recorder of Santa Clara County.
6. **VACATION OF A PORTION OF COCHRANE ROAD**
Recommended Action: 1) **Adopt** Attached Resolution thereby Vacating a Public Road Right-of-way Adjacent to APN 726-25-013, at Cochrane Road and the future Butterfield Boulevard; 2) **Authorize** the City Manager to File Quit Claim Deeds Releasing the City's Interest in the Portion of Cochrane Road Right-of-way; and 3) **Direct** the City Clerk to File a Certified Copy of the Resolution in the Office of the Recorder of Santa Clara County.
7. **EMERGENCY EXPENDITURE FOR WELL AND PUMP REPAIR**
Recommended Action: 1) **Adopt** Attached Resolution Declaring the Need for an Emergency Expenditure; and 2) **Authorize** the Expenditure of up to \$80,000 for Salinas Pump for Well and Pump Repair.
8. **AWARD CONTRACT FOR CONSTRUCTION OF MONTEREY ROAD TRAFFIC SIGNAL INTERCONNECT**
Recommended Action: 1) **Appropriate** \$10,000 from the Unappropriated Street Fund Balance to be Added to the \$24,000 currently Budgeted for this Project; and 2) **Award** Contract to Signal Electric for the Construction of the Monterey Road Traffic Signal Interconnect in the Amount of \$30,671.
9. **APPROVAL OF REGULAR MEETING MINUTES OF MARCH 5, 1997**

ROLL CALL VOTE:

The Roll Call Vote, Agenda Items #10 and #12 may be acted upon with one motion, a second and the roll call vote. The titles having previously been read, no second reading is required. (Government Code Section 36934)

10. **SECOND READING AND ADOPTION OF ORDINANCE NO. 1323, N.S.** -- An Ordinance of the City of Morgan Hill amending Title 17 of the Morgan Hill Municipal Code, the Subdivision Ordinance, and Title 18, the Planning and Land Use Codes to Eliminate Text Errors, to Provide Clarification to Existing Text and Code Provisions, Incorporate New Definitions, Change Procedures for Administrative Approvals and Establish New Durational Limits for Temporary Signs, as Amended.
11. **SECOND READING AND ADOPTION OF ORDINANCE NO. 1324, N.S.** -- An Ordinance of the City of Morgan Hill Rezoning 10.0 Acres south of East Dunne Avenue, west of Hill Road from "County Agricultural" to "R-1 (7,000), Single Family Medium Density" (APN 817-19-009).
12. **SECOND READING AND ADOPTION OF ORDINANCE NOS. 1325 N.S. AND 1326 N.S.**
ORDINANCE NO. 1325 N.S. -- An Ordinance of the City Council of the City of Morgan Hill Adding Chapter 1.17 Filling of City Council Vacancies and Sections 1.17.010, 1.17.020, and 1.17.030 to the Municipal Code, Regarding Filling of Vacancies and the Holding of Elections; and

ORDINANCE NO. 1326, N.S. -- An Ordinance of the City Council of the City of Morgan Hill Adding Sections 1.17.040 and 1.17.050 to the Municipal Code, Regarding Filling of Vacancies and the Holding of Elections, as Amended to include a Sunset Clause.

LEGALLY NOTICED PUBLIC HEARINGS:

13. PUBLIC HEARING REGARDING THE UPDATED 1995 URBAN WATER MANAGEMENT PLAN

Recommended Action: Request staff presentation.

The Interim Mayor will open the Public Hearing.

Please limit your remarks to three minutes. The Interim Mayor will close the Public Hearing.

Council discussion.

Action - Motion to adopt resolution.

Action - Motion to direct City Clerk to file the updated 1995 Urban Water Management Plan with the California Department of Water Resources.

14. ADOPTION OF AN ORDINANCE ALLOWING DEFERRAL OF PAYMENT OF SEWER CONNECTION FEES UNDER CERTAIN CIRCUMSTANCES

Recommended Action: Request staff presentation.

The Interim Mayor will open the Public Hearing.

Please limit your remarks to three minutes. The Interim Mayor will close the Public Hearing.

Council discussion.

Action - Motion to waive the reading in full of the ordinance;

Motion to introduce ordinance by title only. Call for the question. The City Clerk will read the ordinance title and call the roll for the vote.

OTHER BUSINESS (continued):

15. APPOINTMENT OF MAYOR PRO TEMPORE

Recommended Action: Select One Councilmember to Serve as Mayor Pro Tempore until the City Council Reorganizes in December 1998.

16. REQUEST BY JOHN P. KENT FOR CITY TO ADOPT AN INDUCEMENT RESOLUTION IN SUPPORT OF AFFORDABLE HOUSING - LA CROSSE VILLAGE II

Recommended Action: Adopt a "Resolution Expressing Intent to Issue Revenue Bonds to Finance a Multifamily Rental Housing Development" and Authorize the Mayor to Sign Same.

17. DISCUSSION OF RESULTS OF ZERO-BASED BUDGETING REVIEW

Recommended Action: Receive Report.

18. REVIEW OF TRAFFIC ISSUES ON DUNNE AVENUE

Recommended Action: Instruct the City Manager to Develop a Work Program, that includes Associated Costs, for Evaluating Traffic-related Issues on Dunne Avenue.

19. REQUEST TO REVISE, UPDATE, AND REFORMAT FIVE YEAR PLAN

Recommended Action: Direct the City Manager to Have Prepared a Work Program with Costs to Revise, Update, and Reformat the Five Year Plan within the Context of a Revision to the City's General Plan.

20. COUNCIL COMMITTEES & COUNCIL APPOINTMENTS TO OUTSIDE AGENCIES

Recommended Action: 1) Appoint Primary and Alternate Delegates from the City Council to Serve on Committees and Agencies, as Recommended by the Mayor in Exhibit A; 2) Discontinue Council Finance & Audit Committee and Direct Staff to Bring Forward for Full Council Review Monthly Financial Reports; and 3) Direct Staff to Open a Recruitment and Solicit Citizen Interest in Serving on the South County Joint Planning Advisory Committee.

FUTURE AGENDA ITEMS:

This is an Opportunity for Members of the City Council to Request Items for Future Agendas.

ADJOURNMENT:

The City Council will adjourn to 6:00 P.M., Wednesday, March 26, 1997 for the purpose of conducting a workshop on City Council Rules of Procedure. Said workshop is open to the public.

OPEN PUBLIC COMMENT PERIOD (THREE MINUTES)

At 7:00 p.m. following the opening of Council business, the public may present comments on items **NOT** appearing on the agenda that are within the Council's jurisdiction. Should your comments require Council action, your request will be placed on the next appropriate agenda. No Council discussion or action may be taken until your item appears on a future agenda. You may contact the Deputy City Clerk for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

SPEAKER CARDS

In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council. However, it is very helpful to the Council if you would fill out the speaker card that is available on the counter in the Council Chambers. Please fill out a card and return it to the Deputy City Clerk. As your name is called by the Interim Mayor, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the City Council agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

NOTICE

Notice is given, pursuant to Government Code Section 65009, that any challenge of Agenda Items #13 through #14 in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action by the City Council which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.